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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

STEPHEN RAHER,

Case No. CV 09-526-ST

Plaintiff

DECLARATION OF TOM BARRY

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

I, Tom Barry, hereby declare:

1. I am an immigration policy analyst currently employed by the Center for International Policy in Washington, DC.
2. In approximately February 2009, while conducting research on the Reeves County Detention Center, I submitted a request to County Judge Sam Contreras, asking for a copy of Reeves County's "CAR 5" contract with the federal Bureau of Prisons. Reeves County responded to my request by providing me with a copy of the contract, which includes the pages attached hereto as Exhibit A.

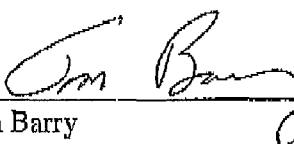
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3. On or about February 5, 2009, while conducting research on the Reeves County Detention Center, I submitted a request to County Clerk Dianne Florez, asking for a copy of Reeves County's management contract with the GEO Group. Ms. Florez responded to my request by providing me with a copy of the contract, which includes the page attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is correct.



Tom Barry

Date: April 14, 2010

OMB No: 1103-0018
Expiration Date:

SOLICITATION, OFFER, AND AWARD		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)		RATING	PAGE 1 OF PAGES 188
2. CONTRACT NUMBER DJB1PC007	3. SOLICITATION NUMBER RFP-PCC-00010	4. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (FB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	5. DATE ISSUED 05/26/2006	6. REQUISITION/PURCHASE NUMBER	
7. ISSUED BY United States Department of Justice Federal Bureau of Prisons Privilized Corrections Contracting 320 First Street, NW, Room 5006 Washington	CODE DC 20534	8. ADDRESS OFFER TO (If other than item 7) Heather Greiner Contracting Officer Federal Bureau of Prisons Privilized Corrections Contracting 320 First Street, NW, Room 5006 Washington DC 20534			

NOTE: In sealed bld solicitations "offer" and "offeror" mean "bid" and "bidder".

SOLICITATION

9. Sealed offers in original and See Sec L copies for furnishing the supplies or services in the Schedule will be received at the place specified in item 8, or if hand carried, in the depository located in See Block 8 until 4:00PM Local local time 07/25/2006
(City) (Hour) (Date)

CAUTION - LATE Submission, Modifications, and Withdrawals: See Section L, Provision No. 52.214-7 or 52.215-1. All offers are subject to all terms and conditions contained in this solicitation.

10. FOR INFORMATION CALL:	A. NAME: Heather Greiner Contracting Officer	B. TELEPHONE (Include area code) (NO COLLECT CALLS) 202-616-1847	C. EMAIL ADDRESS hgreiner@bop.gov
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11. TABLE OF CONTENTS

(X) SEC.	DESCRIPTION	PAGE(S)	(X) SEC.	DESCRIPTION	PAGE(S)	
PART I - THE SCHEDULE						
X A	SOLICITATION/CONTRACT FORM	1	X I	CONTRACT CLAUSES	62-73	
X B	SUPPLIES OR SERVICES AND PRICES/COSTS	2-9	PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
X C	DESCRIPTIONS/SPCS./WORK STATEMENT	10-50	X J	LIST OF ATTACHMENTS	73-164	
X D	PACKAGING AND MARKING	51	PART IV - REPRESENTATIONS AND INSTRUCTIONS			
X E	INSPECTION AND ACCEPTANCE	52-54	X K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	165-166	
X F	DELIVERIES OR PERFORMANCE	55-56	X L	INSTRS., CONDS., AND NOTICES TO OFFERORS	167-182	
X G	CONTRACT ADMINISTRATION DATA	57-59	X M	EVALUATION FACTORS FOR AWARD	183-186	
X H	SPECIAL CONTRACT REQUIREMENTS	60-61				

OFFER (Must be fully completed by offeror)

NOTE: Item 12 does not apply if the solicitation includes the provisions at 52.214-18, Minimum Bid Acceptance Period.

12. In compliance with the above, the undersigned agrees, if this offer is accepted within 100 calendar days (60 calendar days unless a different period is inserted by the offeror) from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified in the schedule.13. DISCOUNT FOR PROMPT PAYMENT
(See Section I, Clause No. 52.232-8)

10 CALENDAR DAYS (%) 20 CALENDAR DAYS (%) 30 CALENDAR DAYS (%) CALENDAR DAYS (%)

14. ACKNOWLEDGMENT OF AMENDMENTS
(The offeror acknowledges receipt of amendments to the SOLICITATION for offerors and related documents numbered and dated:)

AMENDMENT NO. DATE AMENDMENT NO. DATE

1 6/30/06 3 7/18/06

2 7/14/06

15A. CODE FACILITY CODE 16. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)

NAME AND ADDRESS OF OFFEROR Reeves County, Texas
100 E. 4th Street
Pecos, TX 79772 Jimmy B. Galindo
Reeves County Judge15B. TELEPHONE NO. (Include area code) 915-445-5418 15C. CHECK IF REMITTANCE ADDRESS IS DIFFERENT FROM
 ABOVE - ENTER SUCH ADDRESS IN SCHEDULE 17. SIGNATURE Jimmy B. Galindo 18. OFFER DATE 6/30/06

19. ACCEPTED AS TO ITEMS NUMBERED 20. AMOUNT EST. \$186,957,088 21. ACCOUNTING AND APPROPRIATION INFORMATION

22. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION:
 10 U.S.C. 2304 (c) () 41 U.S.C. 253 (c) () FP090009S6 Project 41Y23. SUBMIT INVOICES TO ADDRESS SHOWN IN
(4 copies unless otherwise specified) ITEM

24. ADMINISTERED BY (If other than item 7) CODE 25. PAYMENT WILL BE MADE BY CODE Privatization Management Branch

U.S./DOJ/BOP
Privatized Corrections Contracting
Office, 320 First St., NW
Washington, DC 20534 400 First St., NW 2nd Floor
Washington, DC 2053426. NAME OF CONTRACTING OFFICER (Type or print) Matthew D. Nace 27. UNITED STATES OF AMERICA 28. AWARD DATE
Signature of Contracting Officer 1/17/07

IMPORTANT - Award will be made on this Form, or on Standard Form 26, or by other authorized official written notice.

AUTHORIZED FOR LOCAL REPRODUCTION

STANDARD FORM 33 (Rev.9-87)
Prescribed by GSA EAD /40 GPO 2001-01C&R
①EXHIBIT A
PAGE 1 OF 6

FINAL PRICING REVISIONS - 11/17/06 OPTION A PRICING
ATTACHMENT 1 - SCHEDULE OF SUPPLIES/SERVICES
OFFEROR: Reeves County, Texas LOCATION: Pecos, Texas
REVISED OPTION A PRICING (specific to Option B-1 Pricing)

90% PRICING SCHEDULE - OPTION PERIODS100% CONTRACT BEDS: Number of Contract Beds 2,093115% CONTRACT BEDS: Number of Contract Beds 2,407

FIUP will apply when the average number of inmates, in a monthly payment period, exceeds 90% of the contract beds

OPTION PERIOD #1 (YEAR 1)	
Inmates up to (90%)	(90%+1) Inmates up to (115%)
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:
<u>\$3,828,101</u>	<u>\$15.28</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$48,854,088</u>	
Blended Per Day Rate @ 115% Occupancy <u>\$55.61</u>	
OPTION PERIOD #1 (YEAR 2) (Leap Year)	
Inmates up to (90%)	(90%+1) Inmates up to (115%)
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:
<u>\$3,888,180</u>	<u>\$15.77</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$49,676,822</u>	
Blended Per Day Rate @ 115% Occupancy <u>\$56.39</u>	
OPTION PERIOD #2 (YEAR 1)	
Inmates up to (90%)	(90%+1) Inmates up to (115%)
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:
<u>\$3,946,925</u>	<u>\$16.33</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$50,480,415</u>	
Blended Per Day Rate @ 115% Occupancy <u>\$57.46</u>	
OPTION PERIOD #2 (YEAR 2)	
Inmates up to (90%)	(90%+1) Inmates up to (115%)
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:
<u>\$4,009,234</u>	<u>\$16.87</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$51,331,207</u>	
Blended Per Day Rate @ 115% Occupancy <u>\$58.43</u>	

FINAL PRICING REVISIONS - 11/17/06 OPTION A PRICING
 ATTACHMENT 1 - SCHEDULE OF SUPPLIES/SERVICES
OFFEROR: Reeves County, Texas LOCATION: Pecos, Texas

OPTION PERIOD #3 (YEAR 1)		
Inmates up to (90%)	(90%+1) Inmates up to (115%)	
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:	
<u>\$4,072,536</u>	<u>\$17.44</u>	
Total Price (MOP X 12) + (FIUP to 115%): <u>\$52,199,641</u>		
		Blended Per Day Rate @ 115% Occupancy <u>\$59.42</u>
OPTION PERIOD #3 (YEAR 2)		
Inmates up to (90%)	(90%+1) Inmates up to (115%)	
Monthly Operating Price (MOP):	Fixed Incremental Unit Price (FIUP) Per Inmate Day:	
<u>\$4,139,608</u>	<u>\$18.00</u>	
Total Price (MOP X 12) + (FIUP to 115%): <u>\$53,120,820</u>		
		Blended Per Day Rate @ 115% Occupancy <u>\$60.30</u>

FINAL PRICING REVISIONS - 12/28/06 OPTION A PRICING
 ATTACHMENT 1 - SCHEDULE OF SUPPLIES/SERVICES
OFFEROR: Reeves County, Texas LOCATION: Pecos, Texas

REVISED OPTION A PRICING (specific to Option B-1 Pricing)

90% PRICING SCHEDULE - BASE PERIOD (First 9 months)

100% CONTRACT BEDS: Number of Contract Beds 1,913

115% CONTRACT BEDS: Number of Contract Beds 2,200

90% PRICING SCHEDULE - BASE PERIOD (Last 39 months)

100% CONTRACT BEDS: Number of Contract Beds 2,093

115% CONTRACT BEDS: Number of Contract Beds 2,407

FIUP will apply when the average number of inmates, in a monthly payment period, exceeds 90% of the contract beds.

<u>BASE YEAR #1 (12 MONTHS) (Includes Option B-1 Price)</u>		
Inmates up to (90%) Monthly Operating Price (MOP) (Option B-1 - Est. 9 months): <u>\$3,482,541 Per Month</u>	(90%+1)Inmates up to (90%) Monthly Operating Price (MOP) (Option A - Est. 3 months): <u>\$3,626,851 Per Month</u>	(90%+1)Inmates (115%) Fixed Incr. Unit Price (FIUP) Per Inmate Day: <u>\$13.64 Per Day</u>
Total Price* (Option B-1 MOP X 9 Months) + (Option A MOP X 3 Months) + (FIUP** to 115%): <u>\$44,661,503</u>		

*The Total Price assumes 9 months at 2200 inmates and 3 months at 2407 inmates.

**The FIUP applies to the full 12-month period at respective population levels.

Blended Per Day Rate @ 115% Occupancy (at respective population levels) \$54.34

<u>BASE YEAR #2 (12 MONTHS)</u>	
Inmates up to (90%) Monthly Operating Price (MOP): <u>\$3,676,254</u>	(90%+1)Inmates up to (115%) Fixed Incremental Unit Price (FIUP) Per Inmate Day: <u>\$14.01</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$46,796,814</u>	

Blended Per Day Rate @ 115% Occupancy \$53.12

<u>BASE YEAR #3 (12 MONTHS)</u>	
Inmates up to (90%) Monthly Operating Price (MOP): <u>\$3,722,270</u>	(90%+1)Inmates up to (115%) Fixed Incremental Unit Price (FIUP) Per Inmate Day: <u>\$14.39</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$47,414,219</u>	

Blended Per Day Rate @ 115% Occupancy \$53.97

<u>BASE YEAR #4 (12 MONTHS)</u>	
Inmates up to (90%) Monthly Operating Price (MOP): <u>\$3,771,927</u>	(90%+1)Inmates up to (115%) Fixed Incremental Unit Price (FIUP) Per Inmate Day: <u>\$14.78</u>
Total Price (MOP X 12) + (FIUP to 115%): <u>\$48,084,552</u>	

Blended Per Day Rate @ 115% Occupancy \$54.73

*Option B OFFEROR: _____ LOCATION: _____

90% PRICING SCHEDULE - BASE PERIOD

100% CONTRACT BEDS: Number of Contract Beds _____

115% CONTRACT BEDS: Number of Contract Beds _____

FIUP will apply when the average number of inmates, in a monthly payment period, exceeds 90% of the contract beds

**Date of Award through 270 calendar days or upon completion
of expansion or renovation**

Inmates up to (50%)	(50%+1) Inmates to (90%)	(90%+1) Inmates (115%)
Monthly Ramp Up Price* (Estimated 3 months): \$ _____ Per month	Monthly Operating Price (MOP) (Estimated 9 months): \$ _____ Per month	Fixed Incremental Unit Price (FIUP) Per Inmate Day: \$ _____ Per day
Total Price (Ramp Up X 3 Months)+(MOP X number of days to complete expansion and/or renovation 9 Months)+(FIUP to 115%): \$ _____ FIUP Can only apply to the nine month period and should be calculated as such.		

* Ramp up does not apply to those facilities with an existing BOP population.

Explanation for calculation of FIUP total:

(Fixed Incremental Unit Price per inmate) X (# of inmates above Fixed MOP) X (365)

First, figure the number of inmates for the FIUP. For 1,000 contract beds offered at 100%, in the 90% schedule, the FIUP percentage up to 115% would be 250 contract beds (1150 - 900). If the FIUP per inmate day is \$10, then the FIUP for one year would be \$10 X 250 X 365 = \$912,500.

If discrepancies exist between the unit prices, including the FIUP, and the total prices, the unit prices will govern.

VOL. 40 PAGE 108

Reeves County Detention Center
Reeves County, Pecos, Texas

7/31/2006 3:38 PM

CURRENT PRICING				PROPOSED PRICING			
	RCDC III	RCDC II	COMBINED		RCDC III	RCDC II	COMBINED
CAR 5	R5 Actuals	R1 / R2 & R3		CAR 5	R3	R1 / R2	R1 / R2 & R3
	R3	R1 / R2	R1 / R2 & R3		R3	R1 / R2	R1 / R2 & R3
	FBOP	FBOP	FBOP		FBOP	FBOP	FBOP
OPERATING EXPENSES				OPERATING EXPENSES			
PERSONNEL				PERSONNEL			
Salaries (non-Wage Determination)	\$1,839,118	\$10,648,241	\$12,487,359	Salaries (non-Wage Determination)	\$1,839,118	\$2,706,539	\$4,545,658
Benefits (non-Wage Determination)	\$595,728	\$3,193,065	\$3,788,793	Benefits (non-Wage Determination)	\$595,728	\$903,364	\$1,499,093
Salaries (Wage Determination)	\$4,811,518		\$4,811,518	Salaries (Wage Determination)	\$4,811,518	\$8,556,360	\$13,367,878
Benefits (Wage Determination)	\$1,784,721		\$1,784,721	Benefits (Wage Determination)	\$1,784,721	\$3,221,180	\$5,005,901
TOTAL PERSONNEL	\$9,031,086	\$13,841,305	\$22,872,391	TOTAL PERSONNEL	\$9,031,086	\$15,387,443	\$24,418,529
OPERATIONS-VARIABLE				OPERATIONS-VARIABLE			
FOOD SERVICE	\$1,269,480	\$2,049,235	\$3,318,716	FOOD SERVICE	\$1,269,480	\$2,253,421	\$3,522,901
MEDICAL SERVICES	\$2,836,006	\$3,261,455	\$6,097,461	MEDICAL SERVICES	\$2,836,006	\$5,613,642	\$8,449,648
Contract Medical Services	\$2,836,006	\$2,816,313	\$5,652,319	Contract Medical Services	\$2,836,006	\$5,025,010	\$7,861,016
Pharmacy and Laboratory		\$445,142	\$445,142	Pharmacy and Laboratory	\$0	\$588,632	\$588,632
INMATE SERVICES	\$51,087	\$88,093	\$139,180	INMATE SERVICES	\$51,087	\$90,683	\$141,770
FACILITY SECURITY	\$216,030	\$318,367	\$534,397	FACILITY SECURITY	\$216,030	\$383,469	\$599,499
UNIT MANAGEMENT	\$504,618	\$0	\$504,618	UNIT MANAGEMENT	\$504,618	\$895,734	\$1,400,352
EDUCATION	\$120,125	\$54,312	\$174,437	EDUCATION	\$120,125	\$213,231	\$333,356
TOTAL OPERATIONS-VARIABLE	\$4,997,346	\$5,771,462	\$10,768,808	TOTAL OPERATIONS-VARIABLE	\$4,997,346	\$9,450,179	\$14,447,526
OPERATIONS-FIXED				OPERATIONS-FIXED			
Facility Administration	\$763,870	\$1,174,984	\$1,938,854	Facility Administration	\$763,870	\$1,672,322	\$2,436,193
Employee Training	\$25,500	\$16,859	\$42,359	Employee Training	\$25,500	\$35,429	\$60,929
Facility Maintenance	\$1,001,464	\$2,538,478	\$3,539,942	Facility Maintenance	\$1,001,464	\$3,404,872	\$4,406,336
TOTAL OPERATIONS-FIXED	\$1,790,834	\$3,730,321	\$5,521,155	TOTAL OPERATIONS-FIXED	\$1,790,834	\$5,112,624	\$6,903,458
TOTAL OPERATING EXPENSES	\$15,819,266	\$23,343,088	\$39,162,355	TOTAL OPERATING EXPENSES	\$15,819,266	\$29,950,246	\$45,769,513
DEBT SERVICE AND FEES				DEBT SERVICE AND FEES			
DEBT SERVICE				DEBT SERVICE			
Bond Payments	\$4,200,000	\$5,530,220	\$9,730,220	Bond Payments	\$4,200,000	\$5,940,000	\$10,140,000
Capital Improve. (annual repay.)	\$0	\$0	\$0	Capital Improve. (annual repay.)	\$0	\$3,015,000	\$3,015,000
Bond Trustee Fee	\$0	\$11,235	\$11,235	Bond Trustee Fee	\$0	\$7,500	\$7,500
Maintenance Reserve Fund	\$350,000	\$320,834	\$670,834	Maintenance Reserve Fund	\$350,000	\$350,000	\$700,000
Bond / Maintenance Payments	\$4,550,000	\$5,882,289	\$10,412,289	Bond / Maintenance Payments	\$4,550,000	\$8,312,500	\$13,862,500
REEVES COUNTY COSTS/FEE				REEVES COUNTY COSTS/FEE			
County Indirects	\$282,652	\$462,483	\$745,135	County Indirects	\$282,652	\$0	\$229,227
County Budgeted Profit	(\$1,503,425)	\$1,850,000	\$346,575	County Budgeted Profit	(\$1,503,425)	\$3,770,773	\$3,770,773
County Unbudgeted Profit	\$0	\$2,900,594	\$2,900,594	County Unbudgeted Profit	\$0	\$0	\$0
County Expenses/Profit	(\$1,220,773)	\$5,213,077	\$3,992,304	County Expenses/Profit	(\$1,220,773)	\$3,770,773	\$4,000,000
GEO GROUP FEE				GEO GROUP FEE			
GEO Fee	\$1,600,000	\$3,400,000	\$5,000,000	GEO Fee	\$1,600,000	\$4,850,000	\$5,000,000
TOTAL DEBT SERVICES & FEES	\$4,929,227	\$14,475,366	\$19,404,593	TOTAL DEBT SERVICES & FEES	\$4,929,227	\$17,933,273	\$22,862,500
TOTAL OPERATING REVENUES	\$20,748,493	\$37,818,454	\$58,566,948	TOTAL OPERATING REVENUES	\$20,748,493	\$47,883,519	\$68,632,013
PER DIEM RATES	\$41.92	\$48.01	\$45.66	PER DIEM RATES	\$41.92	\$54.50	\$49.97

COUNTY / GEO FEES	R3	R1 / R2	COMBINED	R3	R1 / R2	COMBINED
COUNTY INDIRECTS/FEE	(\$1,220,773)	\$5,213,077	\$3,992,304	\$229,227	\$3,770,773	\$4,000,000
GEO FEE	\$1,600,000	\$3,400,000	\$5,000,000	\$150,000	\$4,850,000	\$5,000,000

EXHIBIT B

PAGE 1 OF 1